

**PATENT APPLICATION**

**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 2852**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshiya TOMATSU

Group Art Unit: 2852

Application No.: 10/799,585

Examiner: Q. GRAINGER

Filed: March 15, 2004

Docket No.: 119090

For: THERMAL FIXING DEVICE AND IMAGE FORMING APPARATUS WITH A  
THERMAL FIXING DEVICE THAT INCLUDES A FIXING MEMBER, A FIRST  
PRESSING MEMBER AND A SECOND PRESSING MEMBER (AS AMENDED)

**REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the February 15, 2007 Office Action, the shortened statutory period for reply extended by the attached Petition for Extension of Time, reconsideration of the above-identified application is respectfully requested. Claims 1-7, 21, 26 and 27 are pending.

Claims 1-7, 21, 26 and 27 were rejected under 35 U.S.C. 103(a) over JP 10-171283 (JP '283) in view of Kellie et al. (Kellie), U.S. Patent No. 6,954,607. The rejection is respectfully traversed.

JP '283 and Kellie fail to disclose or suggest a thermal fixing device with a fixing roller and a first pressing member that apply to a developer on the fixation medium to be pressed by the first pressing member a temperature not lower than a glass transition point of the developer, as recited in claim 1 and as similarly recited in claims 21, 26 and 27.

As admitted on page 2 of the Office Action, JP '283 fails to disclose the glass transition point of the independent claims. Kellie fails to overcome the deficiencies of JP '283.

Kellie discloses a first nip area 32 formed by a pair of rollers 12, 16 and a second nip area 42 formed by a pair of rollers 14, 16. As illustrated in Fig. 2, the second nip area 42 is at a position downstream in a conveyance direction relative to the first nip area 32. As stated in Kellie, starting on col. 10, line 9, the rollers 14, 16 heat the toner particles to a temperature above the glass transition temperature and the second nip area 42 is at a temperature higher than the nip area 32.

Page 3 of the Office Action states that Kellie clearly teaches that both of the first nip area 32 and the second nip area 42 are above the glass transition temperature. Applicant notes that Kellie never states that the first nip area 32 is at a temperature above a glass transition temperature. Kellie only states that the second nip area 42 is at a temperature above the glass transition temperature. Kellie discloses a temperature range for the rollers 12, 16 as being between 100° C and 150° C (col. 9, lines 28-31) and a temperature range for the rollers 14, 16 as being between 130° C and 220° C (col. 10, lines 28-30). However, even with the overlapping temperature ranges, Kellie again never states that the first nip area 32 is at a temperature above a glass transition temperature.

Applicant provides the following explanation as to why one skilled in the art would not be motivated to configure the temperature of the first nip area 32 to be higher than a glass transition temperature. Kellie is used for fixing liquid toner (Abstract). Accordingly, the roller 12 of the first nip area 32 is configured to be a prefusing roller (col. 5, lines 33-37). The role of the prefusing roller 12 is to vaporize the carrier agent included in the liquid toner. In the apparatus disclosed by Kellie, the toner, after the carrier agent thereof is vaporized at the first nip area 32, is fixed onto the sheet by being heated to the temperature above the glass

transition temperature at the second nip area 42. If the liquid toner is heated to the temperature above the glass transition temperature at the first nip area 32, the toner will be dissolved into the carrier agent that has yet been vaporized. The dissolved toner will thus be blurred with the toner fixed onto the sheet, thereby damaging the quality of the printed image.

It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Scott M. Schulte  
Registration No. 44,325

JAO:SMS/clf

Attachment:  
Petition for Extension of Time

Date: June 15, 2007

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--